

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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JON D. BOLTON,

Plaintiff,

vs.

STATE OF NEVADA,  
NEVADA DEPARTMENT OF PUBLIC SAFETY,  
PAUL H. ELLIS, MAYRA G. CARPENTER,  
AMY H. WRIGHT, CLARK COUNTY,

Defendants.

2:06-cv-522-KJD-RJJ

REPORT & RECOMMENDATION  
OF UNITED STATES  
MAGISTRATE JUDGE

This matter was referred to the undersigned Magistrate Judge to determine the status of this case.

The Court having reviewed this matter finds that Plaintiff, Jon D. Bolton, has taken no action to prosecute this case since July 2006 (approximately 10 months). Good cause appearing therefore,

**RECOMMENDATION**

IT IS THE RECOMMENDATION of the undersigned Magistrate Judge that this matter be DISMISSED WITH PREJUDICE for want of prosecution pursuant to LR 41-1.

**NOTICE**

Pursuant to Local Rule IB 3-2 [former LR 510-2] any objection to this Report and Recommendation must be in writing and filed with the Clerk of the Court within ten (10) days after service of this Notice. The Supreme Court has held that the courts of appeal may determine that an appeal has been waived due to the failure to file objections within the specified time.

1 Thomas v. Arn, 474 U.S. 140 (1985), reh'g denied, 474 U.S. 1111 (1986). This Circuit has also  
2 held that (1) failure to file objections within the specified time and (2) failure to properly address  
3 and brief the objectionable issues waives the right to appeal the District Court's order and/or  
4 appeal factual issues from the order of the District Court. Martinez v. Ylst, 951 F.2d 1153 (9th  
5 Cir. 1991); Britt v. Simi Valley United Sch. Dist., 708 F.2d 452, 454 (9th Cir. 1983).

6 DATED this 7<sup>th</sup> day of May, 2007,

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10 ROBERT J. JOHNSTON  
11 United States Magistrate Judge  
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